



Town of Fishkill Planning Department
807 Route 52 - Fishkill, NY 12524-3110
Phone: (845) 831-7800 ext. 3328
Fax: (845) 831-6040

Procedures and Requirements Governing
Site Development Plan and Special Use Permit Applications

Note:

All applicants to the Planning Board must schedule an informational meeting with the Town Planning Department and/or Town Zoning Administrator **prior to** submitting an application.

The Planning Board meets regularly on the 2nd Thursday of each month. All Applications for Site Development Plan and/or Special Use Permit approvals must be submitted in accordance with the current Town of Fishkill Planning Board Meeting Schedule.

An application for Site Development Plan and/or Special Use Permit approval can be made by submitting the following by mail or in person to the Planning Department.

1. One (1) original, ten (10) copies of the completed ***Site Development Plan and Special Use Permit Application***. Any request for waivers of required information must be included together with the reason for such request.
2. Eleven (11) copies of the drawings detailing the proposed ***Site Development Plan***. The drawings should be at a scale of 1" = 20' where possible and drawn on a map size no larger than 24" x 36". The Applicant shall describe the nature and intensity of the proposed use together with any pertinent information that is not shown on the drawings. Please refer to the Application Requirements on the next page.
3. One (1) original and ten (10) copies of the ***Applicant Disclosure Form, this form is included as part of the Site Development Plan and Special Use Permit Application***.
4. One (1) original and ten (10) copies of the completed ***Environmental Assessment Form***. The completion of a Full Environmental Assessment Form or Short Environmental Assessment Form shall be the decision of the Planning Department and/or the Town Engineer. Please utilize the link on the Town of Fishkill website to obtain a copy of the appropriate Environmental Assessment Form.
5. One (1) Compact Disc containing copies of cover letter, Site Plan and Special Use Permit Application, drawings detailing the proposed Site Development Plan, Applicant Disclosure Form and the Environmental Assessment Form. All copies on the CD must be in PDF format.
6. One (1) set of ***mailing labels indicating the adjacent property owners' names and addresses for properties within 500' of the project site***.
7. ***Required Fees*** (Application Fees and Escrow Deposit) in accordance with the current Town of Fishkill Fee Schedule, please see the following pages of this document for pages of the current Town of Fishkill Fee Schedule that pertain to Site Development Plan and Special Use Permit Application). A full copy of the current Town of Fishkill Fee Schedule is available on the Town's website at www.fishkill-ny.gov or at the Town Hall in the Town Clerk's Office.

The **entire completed application package** will be reviewed by the Planning Department and Town Zoning Administrator for conformance with the requirements of the Town Zoning Code and all other applicable regulations and/or standards of the Town of Fishkill.



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1. Title, giving names(s) and address(es) of the Applicant and the person responsible for the preparation of the drawings, with the date of issue.
2. Area Map Inset at a scale of 1" = 200', showing all properties and property owners' names within 500' of the project site. A Tabular Index must be shown indicating the property owners' names, addresses and Tax Map Parcel Numbers of property owners as previously mentioned.
3. Existing and proposed contours at two foot intervals. These may be submitted on separate sheets, if deemed appropriate by the Planning staff.
4. A Plot Plan at a scale of 1" = 20' and **no** larger than 24" x 36" shall include:
 - a. All metes and bounds descriptions, zoning district designation(s), north arrow and abutting property owners, purpose of proposed development (including uses, tenants and other pertinent information).
 - b. All main and accessory structure locations and setbacks from the property lines.
 - c. Location and types of all pertinent features such as shrubbery, trees, lighting, screening, curbing, refuse storage, recycle bins, storm drainage, well and/or water supply lines, sewage disposal system, fire hydrants, etc.
 - d. Location and dimensions of parking and loading areas showing individual parking spaces and numbers.
 - e. Typical cross sections and details of curbing, sidewalks, catch basins, parking areas, roadways, etc.
 - f. Building elevations including actual color samples for **all** exterior building finishes, materials and sign details.
 - g. Any division(s) of building(s) into units of separate occupancy.
5. The Data Table Inset must include:
 - a. Property area to nearest 100 square feet.
 - b. Building coverage - square footage and percent of total area.
 - c. Pavement coverage - square footage and percentage of total area.
 - d. Total impervious coverage percentage.
 - e. Open space - square footage and percentage of total area.
 - f. Parking Requirements in accordance with Chapter 150-69 of the Town of Fishkill Town Code.

The Town Planning Board Secretary will schedule all completed application packages for Planning Board review by placing the proposal on the Planning Board's next available agenda. Within forty-five (45) days of receipt of the completed application package, the Planning Board shall schedule a public hearing on the proposal. Within sixty-two (62) days of the closing of the public hearing, the Planning Board shall forward its findings and shall notify the Applicant as to whether the proposal has been approved, disapproved or approved with modifications. Within seven (7) days, the Planning Board shall also file a copy of its findings in the Office of the Town Clerk. The Planning Board's findings regarding a preliminary application shall expire six (6) months from the date of approval if no application for final approval is submitted within such period, except where such time limit is extended by mutual consent of the Applicant and the Planning Board.

TOWN OF FISHKILL FEE SCHEDULE



TOWN BOARD:

Town Supervisor:	Robert P. LaColla
Councilperson:	Douglas A. A. McHoul
Councilperson:	Kurt Buck
Councilperson:	Tony Curry
Councilperson:	Timothy Tuttle

Adopted on: February 05, 2014

(The following pages are from the Town's Fee Schedule - for a full copy of the Town's Fee Schedule please visit the Town's website at www.fishkill-ny.gov)

SECTION I - BUILDING, CONSTRUCTION, PLANNING AND ZONING**E. REZONING FEES** (continued)**Note 3:**

Fees for legal ads are to be paid for by the applicant.

Note 4:

All fees are non-refundable.

F. SITE PLAN (Chapter 150)**Filing for Application:**

For each structure up to 5,000 square feet	\$ 1,500.00
For each structure of 5,001-10,000 square feet	\$ 2000.00
For each structure of 10,001-15,000 square feet	\$ 2,500.00
For each structure of 15,001-20,000 square feet	\$ 3,000.00
For each structure of 20,001-25,000 square feet	\$ 3,500.00
For each structure of 25,001-50,000 square feet	\$ 5,000.00
For each structure of 50,001-75,000 square feet	\$ 7,500.00
For each structure of 75,001-100,000 square feet	\$ 10,000.00
For each 25,000 sq. ft over 100,000 square feet	\$ 2,500.00
For up to ten (10) parking places, add	\$ 50.00 per required parking space
For the next 490 parking spaces, add	\$ 20.00 per required parking space
For over 500 spaces, add	\$ 15.00 per required parking space
Recreation Fee in Lieu of Land	\$ 5,000.00 per dwelling unit
Recreation Fee (if approved on-site recreation area)	\$ 3,000.00 per dwelling unit
Retroactive Approval Fee	\$ 500.00
For Planning Board approval of project applications for work already commenced or completed prior to the issuance of a formal resolution of approval for Site Development Plan or Special Use Permit from the Planning Board (this fee is in addition to the above listed fees).	
Readoption of Approval Fee	\$250.00
Applied in event of the Project Sponsor's failure to perform required or expected actions to maintain the active status or progress of the proposed project. This fee shall not apply in the event that project delays are beyond the control of the Project Sponsor as determined by the Planning Board.	

Adjustment of Recreation Fees Upon Reapproval

In the event of a reapproval by the Planning Board, upon the expiration of an earlier granted approval or reapproval, the applicant shall pay the differential if any between (a) the Recreation Fee prevailing at the time of the new reapproval, and (b) the Recreation Fee charged at the time of the preceding approval or reapproval. With respect to discretionary extension of approvals or reapprovals, there shall be no step-up of a previously charged Recreation Fee, unless such fees were erroneously computed and collected by the relevant agency or officer of the Town.

*** See Revision Fees as noted on Page 12 ***

Note 1:

For all Site Plan applications please see the "Escrow Funds" section of this document.

SECTION I - BUILDING, CONSTRUCTION, PLANNING AND ZONING**F. SITE PLAN (Chapter 150)****Note 2:**

Site Development Inspection Fees (Section 150-59C, Page 15091)

As a condition of Site Development approval, an inspection fee in an amount determined necessary by a Town Engineer, but not in excess of seven percent (7%) of the estimated cost of constructing all private roads, sidewalks, water supply, sewerage, and storm drainage systems, grading, landscaping, and all other site improvements, not including building construction, shall be paid to the Town of Fishkill. Such fee shall be used to cover costs incurred by the Town of Fishkill in conducting inspections of such development as it progresses and upon completion.

Note 3:

Recreation Fees (in all cases) will be established by the Town Board on the basis of the current fee Schedule rather than on the year of application.

Note 4:

To avoid double payment, Recreation Fees are not applicable to the extent that such fees are charged by a Subdivision approval component of the project.

Note 5:

Fees for legal ads are to be paid for by the applicant.

Note 6:

All Fees are non-refundable.

G. SPECIAL USE PERMIT (Chapter 150)

Filing for Application:

For each structure up to 5,000 square feet	\$ 1,500.00
For each structure of 5,001-10,000 square feet	\$ 2000.00
For each structure of 10,001-15,000 square feet	\$ 2,500.00
For each structure of 15,001-20,000 square feet	\$ 3,000.00
For each structure of 20,001-25,000 square feet	\$ 3,500.00
For each structure of 25,001-50,000 square feet	\$ 5,000.00
For each structure of 50,001-75,000 square feet	\$ 7,500.00
For each structure of 75,001-100,000 square feet	\$ 10,000.00
For each 25,000 sq. ft over 100,000 square feet	\$ 2,500.00

For up to ten (10) parking places, add	\$ 50.00 per required parking space
For the next 490 parking spaces, add	\$ 20.00 per required parking space
For over 500 spaces, add	\$ 15.00 per required parking space

The following apply if the Special Use Permit includes dwelling units:

Recreation Fee in Lieu of Land	\$ 5,000.00 per dwelling unit
Recreation Fee (if approved on- site recreation area)	\$ 3,000.00 per dwelling unit

Retroactive Approval Fee \$ 500.00

For Planning Board approval of project applications for work already commenced or completed prior to the issuance of a formal resolution of approval for Site Development Plan or Special Use Permit from the Planning Board (this fee is in addition to the above listed fees).

SECTION I - BUILDING, CONSTRUCTION, PLANNING AND ZONING**G. SPECIAL USE PERMIT (Chapter 150) (continued)**

Readoption of Approval Fee \$250.00

Applied in event of the Project Sponsor's failure to perform required or expected actions to maintain the active status or progress of the proposed project. This fee shall not apply in the event that project delays are beyond the control of the Project Sponsor as determined by the Planning Board.

Adjustment of Recreation Fees Upon Reapproval

In the event of a reapproval by the Planning Board, upon the expiration of an earlier granted approval or reapproval, the applicant shall pay the differential if any between (a) the Recreation Fee prevailing at the time of the new reapproval, and (b) the Recreation Fee charged at the time of the preceding approval or reapproval. With respect to discretionary extension of approvals or reapprovals, there shall be no step-up of a previously charged Recreation Fee, unless such fees were erroneously computed and collected by the relevant agency or officer of the Town.

*** See Revision Fees as noted on Page 12 ***

Note 1:

For all Special Use Permit applications, please see the "Escrow Funds" section of this document.

Note 2:

Special Use Permit Inspection Fees (Section 150-34-B, Page 15053):

As a condition of Special Use Permit approval, an inspection fee in an amount determined necessary by a Town Engineer, but not in excess of seven percent (7%) of the estimated cost of constructing all private roads, sidewalks, water supply, sewerage, and storm drainage systems, grading, landscaping, and all other site improvements, not including building construction, shall be paid to the Town of Fishkill. Such fee shall be used to cover costs incurred by the Town of Fishkill in conducting inspections of such development as it progresses, and upon completion.

Note 3:

Recreation Fees (in all cases) will be established by the Town Board on the basis of the current Fee Schedule rather than on the year of application.

Note 4:

Fees for legal ads are to be paid for by the applicant.

Note 5:

All Fees are non-refundable

Note 6:

To avoid double payment, Recreation Fees are not applicable to the extent that such fees are charged by a Subdivision or Site Plan approval component of the project.

H. LAND USE DEVELOPMENT (Chapter 150)

Filing for Application for Approval of Land Use Development Permit: \$1,500.00

Retroactive Fee: \$ 500.00

For Planning Board Approval of project applications for work already commenced or completed prior to the issuance of a formal resolution of approval for a Land Use Development Permit from the Planning Board (this fee is in addition to the above listed Application Fee.

SECTION I - BUILDING, CONSTRUCTION, PLANNING AND ZONING**I. SUBDIVISION OF LAND (Chapter 132) (continued)****Note 2:**

Subdivision Inspection Fees (Section 132-18F)

To offset the costs incurred by the Town in conducting inspections, all applicants for approval of subdivisions involving the construction of streets and/or other improvements shall be required to submit an inspection fee, payable to the "Town of Fishkill", in an amount equal to one (1) dollar per linear foot of new road to be constructed as a condition of plan approval.

Note 3:

On-Site Water and Sewerage Systems (Section 132-18).

An additional inspection fee in an amount determined necessary by the Town Engineer, but not in excess of seven percent (7%) of the estimated cost of constructing the on-site water supply and sewerage systems serving the subdivision and including integral off-site portions of the systems necessary to connect to existing Town facilities shall be paid by the developer to the Town of Fishkill. Such fees shall be used to cover costs incurred by the Town in conducting inspections of such systems as they progress and upon completion.

Note 4:

Recreation (in all cases) will be established by the Town Board on the basis of the current Fee schedule rather than on the year of application.

Note 5:

Fees for legal ads are to be paid for by the applicant from the escrow account.

Note 6:

All Fees are non-refundable.

J. REVISION FEES - DMUD, SITE PLAN, LAND USE DEVELOPMENT PERMIT, SPECIAL USE PERMIT & SUBDIVISION

All revisions to previously approved plans/plats which alter the Planning Board's Approval in a significant way as determined by the Town Planning Department or Town Engineer	\$2,500.00
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All revisions to previously approved plans/plats which alter the Planning Board's approval in a minor way as determined by the Town Planning Department or Town Engineer	\$1,000.00
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All items/plans which are only for discussion by the Planning Board (excluding revisions to previously approved plans or plats).	\$ 100.00
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SECTION II - MOBILE HOME PARKS (Chapter 106)**A. APPLICATION FOR ORIGINAL LICENSE**

Up to and including five (5) homes	\$ 150.00 per home
Thereafter, per home	\$ 100.00 per home
Minimum Fee (per site)	\$ 300.00
Transfer of License	\$ 250.00

SECTION V - ESCROW FUNDS

A. GENERAL (continued)

Town shall not schedule such an applicant for appearances before the Planning Board or the Town Board to discuss any application. This policy shall be strictly enforced by the appropriate Town officials. A Certificate of Occupancy shall not be issued unless all professional fees incurred by the applicant's project have been paid.

SECTION V - ESCROW FUNDS

B. CALCULATION OF ESCROW FUND

<u>Type of Application</u>	<u>Initial Deposit</u>	<u>Depleted to</u>	<u>Replenishment</u>
A. Pre-Planning Meeting	\$1,000.00		
B. Planning Board Discussion	\$150.00 (Applied at discretion of Planning Dept.)		
C. Minor (1-5 lots)	\$ 2,500.00	\$ 1,000.00	Current Bills + \$1,000.00
D. 6-15 lots	\$ 3,000.00	\$ 1,500.00	Current Bills + \$1,500.00
E. Over 15 lots	\$ 5,000.00	\$ 2,000.00	Current Bills + \$3,000.00
F. Lot line realignments	\$ 1,500.00	\$ 500.00	Current Bills + \$ 500.00
G. All residential plans	\$ 7,500.00	\$ 3,000.00	Current Bills + \$4,000.00
H. All other plans	\$ 7,500.00	\$ 3,000.00	Current Bills + \$4,000.00
I. Land Use Development Permits	\$1,500.00	\$ 500.00	Current Bills + \$1,000.00
J. Special Use Permits	\$ 7,500.00	\$ 3,000.00	Current Bills + \$4,000.00
K. Rezoning (w/o Planning Board)	\$ 10,000.00	\$ 2,500.00	Current Bills + \$2500.00
L. Rezoning (w/ Planning Board)	\$ 10,000.00	\$ 2,500.00	Current Bills + \$5000.00

Note: Amounts stated above may be increased as deemed appropriate by the Planning Board Administrator. Applicants seeking multiple approvals for a related Project may consolidate to a single escrow account by written request only. Escrow replenishment amounts will convert to the level of the greater escrow exposure rate.

C. REVISIONS

These Regulations may be revised by the Town Board of the Town of Fishkill by Resolution.

Fees are refundable when the Town Board deems that they should be refunded.